

**04-1186 WACHOVIA BANK, N. A. V. SCHMIDT III, ET AL.**

DECISION BELOW: 388 F.3d 414 (2004)

QUESTIONS PRESENTED

The questions presented are (i) whether, for purposes of federal diversity jurisdiction, a national banking association is "located" in, and thus deemed to be a citizen of, every state in which the association maintains a branch, as held by the court below, or instead has a more limited citizenship, as held by three other courts of appeals; and (ii) whether the word "located," as used in 28 U.S.C. § 1348, is ambiguous.

Cert. Granted 6/13/05.

Justice Thomas did not participate in the consideration or decision of this petition.